

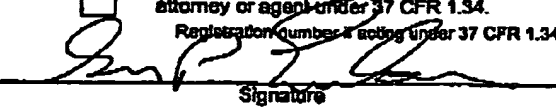
NOV 30 2005

PTO/SB/22 (12-04)

Approved for use through 7/31/2006. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		<b>Docket Number (Optional)</b> 584482006600	
<b>Application Number</b> 09/751,299		<b>Filed</b> December 28, 2000	
<b>For</b> <b>METHODS FOR PRODUCING ALPHA-SUBSTITUTED CARBOXYLIC ACIDS USING NITRILASES AND STRECKER REAGENTS (AMENDED)</b>			
<b>Art Unit</b> 1858		<b>Examiner</b> K. Kerr	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
<input type="checkbox"/>	One month (37 CFR 1.17(a)(1))	<b>Fee</b> \$120	<b>Small Entity Fee</b> \$60 \$
<input checked="" type="checkbox"/>	Two months (37 CFR 1.17(a)(2)) (\$225 less \$80 paid for 1-Month Extension on October 31, 2005)	\$450	\$225 \$ 165.00
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$1020	\$510 \$
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$1590	\$795 \$
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$2160	\$1080 \$
<input checked="" type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/>	A check in the amount of the fee is enclosed.		
<input type="checkbox"/>	Payment by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/>	The Director has already been authorized to charge fees in this application to a Deposit Account.		
<input checked="" type="checkbox"/>	The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>03-1962</u> . I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.		
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>38,440</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
		November 30, 2005	
Signature		Date	
Gregory P. Einhorn		(858) 720-5133	
Typed or printed name		Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/>	Total of	1	forms are submitted.

Adjustment date: 02/10/2006 SFELEKE1  
12/02/2005 WABDELRI 00000013 031952 09751299  
01 FC:2252 165.00 CR

Adjustment date: 02/10/2006 SFELEKE1  
12/02/2005 WABDELRI 00000013 031952 09751299  
02 FC:2401 250.00 CR  
sd-291291

1

12/02/2005 WABDELRI-00000013-031952 09751299  
01 FC:2252 165.00-DA

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JAN 26 2006

Docket No.: 564462006600

(PATENT)

OFFICE

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Dated: January 20, 2006

Signature: *Norman Green*

(Norman Green)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Mark MADDEN et al.

Application No.: 09/751,299

Confirmation No.: 8629

Filed: December 28, 2000

Art Unit: 1656

For: METHODS FOR PRODUCING ALPHA-  
SUBSTITUTED CARBOXYLIC ACIDS  
USING NITRILASES AND STRECKER  
REAGENTS (AMENDED)

Examiner: C. Kam

REQUEST FOR REFUND

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A refund is hereby requested in the amount of \$415.00 charged to Deposit Account No. 03-1952 on December 2, 2005 in connection with the above-identified application which claims small entity status.

The fee charged on December 2, 2005 is a duplication of a total fee for \$415.00 charged on December 1, 2005, which consists of \$165.00 for a 2-Month Petition for Extension of Time, and \$250.00 for a Notice of Appeal filed in the U.S. Patent Office via facsimile on November 30, 2005.

In support of this assertion, Applicants attach 1) a copy of the Fee Transmittal for the November 30, 2005 filing; and 2) pages 1-3 of our Deposit Account Statement for December 2005 with the fees charged on December 1, 2005 indicated on page 1 and the duplicate fees charged on December 2, 2005 indicated on page 3.

sd-297649

Application No.: 09/751,299

2

Docket No.: 564462006600

It is therefore requested that our Deposit Account No. 03-1952 be credited the \$415.00 charged in error on December 2, 2005, referencing docket no. 564462006600.

Dated: January 20, 2006

Respectfully submitted,

By 

Gregory P. Einkorn

Registration No.: 38,440

MORRISON & FOERSTER LLP

12531 High Bluff Drive

Suite 100

San Diego, California 92130-2040

(858) 720-5133

sd-297649

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JAN 06 2006

PTO/SB/17 (12-04-2)

Approved for use through 7/31/2006. OMB 0651-0032

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4141). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		Complete if Known Application Number 09/751,299 Filing Date December 28, 2000 First Named Inventor Mark MADDEN Examiner Name K. Kerr Art Unit 1656 Attorney Docket No. 684482008600	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	415.00	

## METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify):
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP				
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)				
<input checked="" type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments		

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)	Multiple Dependent Claims
				Fee (\$)

Indep. Claims	Extra Claims	Fee (\$)	Fees Paid (\$)

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequences or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(g).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
- 100 =	50	(round up to a whole number) x		

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fees Paid (\$)
Other (e.g., late filing surcharge): 2252 Extension for response within second month (\$225 less \$60 paid for 1-Month Extension on October 31, 2005)	165.00
2401 Notice of Appeal	250.00

SUBMITTED BY			
Signature	<i>Gregory P. Einhorn</i>	Registration No. (Attorney/Agent)	38,440
Name (Print/Type)	Gregory P. Einhorn	Telephone	(858) 720-5133
		Date	November 30, 2005

COPY

sd-291288



United States  
Patent and  
Trademark Office

COPY



**Deposit Account Statement**

Requested Statement Month: December 2005  
 Deposit Account Number: 031952  
 Name: MORRISON & FOERSTER LLP  
 Attention: DENISE CALDWELL  
 Address: 755 PAGE MILL ROAD  
 City: PALO ALTO  
 State: CA  
 Zip: 94304-1018  
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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COPY

USPTO Deposit statement - Dec. 2005/af-2048075 v1

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12/02 241	10446771	495812004200	1252	\$450.00	\$359,633.30

Duplicate

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CALIFORNIA 92130-2040  
TELEPHONE: 858.720.5100  
FACSIMILE: 858.720.5125  
WWW.MOFD.COM

JAN 20 2006

MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
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SAN DIEGO, WASHINGTON, D.C.  
DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITY  
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To:	FACSIMILE:	TELEPHONE:
Mail Stop 16 U.S. Patent and Trademark Office	(571) 273-8300	(703) 308-1202

FROM: Gregory P. Einhorn, Reg. No. 38,440

Date: January 20, 2006

Number of pages with cover page: 8	Confirmation copy will NOT follow.
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Preparer of this slip has confirmed that facsimile number given is correct: 10924/NXG4

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**Comments:**

Attorney Docket: 564462006600  
Confirmation No.: 8629  
Group Art Unit: 1656  
Examiner: C. Kam  
Serial No.: 09/751,299  
Filing Date: December 28, 2000  
Inventor(s): Mark MADDEN et al.  
Title: METHODS FOR PRODUCING ALPHA-SUBSTITUTED  
CARBOXYLIC ACIDS USING NITRILASES AND  
STRECKER REAGENTS (AMENDED)

**Papers attached:**

1. Transmittal (1 page)
2. Request for Refund (2 pages)
3. Copy of Fee Transmittal (1 page)
4. Copy of pp. 1-3 of Deposit Account Statement (3 pages)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
NORM GREEN AT (858) 314-5435 AS SOON AS POSSIBLE.



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JAN 20 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/751,298
		Filing Date	December 28, 2000
		First Named Inventor	Mark MADDEN
		Art Unit	1856
		Examiner Name	C. Kam
Total Number of Pages in This Submission	8	Attorney Docket Number	584462008800

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund (2 pages) <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Fee Transmittal (1 page) Copy of pp. 1-3 of Deposit Account Statement (3 pages) Fax Cover Sheet (1 page)
Remarks <b>Customer No. 45975</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	January 20, 2006	Reg. No.	38,440

I hereby certify that this correspondence is being facsimile transmitted to Mail Stop 16, the Patent and Trademark Office, facsimile no. (371) 273-8300, on the date shown below.

Dated: January 20, 2006

Signature:  (Norman Green)

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